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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Monday - 31 March 1975

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1. [] Called Russ Rourke in the office of John O. Marsh, Jr., Counsellor to the President, to alert him to four identical resolutions of inquiry (H. Res. 65, 71, 106, 148) introduced by Representative Elizabeth Holtzman (D., N. Y.). The resolutions would direct the President to supply information on CIA domestic activities to the House Judiciary Committee. Mr. Rourke was quite interested in these resolutions in spite of the fact they have little chance for success, and thanked me for informing him.

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2. [] John Swanner, Staff Director, House Committee on Standards of Official Conduct, returned my call of last Friday. I inquired about the status of numerous bills before his Committee which would require extensive financial disclosure by Federal employees. Swanner wasn't sure what action would be taken since the bills had been referred jointly to his Committee and the House Judiciary Committee. I expressed our concerns regarding these bills; he seemed most sympathetic and said he would formally ask for our position before the Committee began consideration. Swanner said the Committee was also considering bills which would regulate lobbying and I mentioned we were preparing comments on some Senate lobbying bills (S. 774 and 815), which are before the Senate Government Operations Committee. Swanner asked for our position on those bills and I promised to let him know once they are prepared.

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3. [] Accompanied [] NIO/SEA, to a briefing of a group of House International Relations Committee staff members on the situation in Vietnam. Included in the group were Jack Brady, Jack Sullivan, Mike Van Dusen, George Berdes and Mike Findley. The staffers were most appreciative of [] time and asked if he might give them a follow-up briefing next Thursday, 10 April.

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DOS review(s)
completed.
DOJ review(s)
completed.

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Thursday - 27 March 1975

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1. [] Called Alan Parker, Counsel, ~~House Judiciary Subcommittee on Civil Rights and Constitutional Rights~~, regarding legislation before the Committee which affects CIA. Parker said Representative Edward I. Koch's (D., N. Y.) polygraph bills were before his Subcommittee and that eventually the Subcommittee would take a look at them, but now they had more pressing problems. I explained our problems with the bills and Parker acknowledged that the major concern with the use of polygraphs was in private industry. He said they would take a close look at our problems with these bills if and when the Subcommittee begins considering the problem. He referred me to Jim Cline, Staff Director of the full Committee, on some other bills of interest.

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2. [] Called Jim Cline, Staff Director, ~~House Judiciary Committee~~, and in his absence spoke to Alice Smith, who informed me the bills of interest regarding financial disclosure were before the Subcommittee on Administrative Law and Government Relations chaired by Representative Walter Flowers (D., Ala.). I called William Shattuck, Counsel to the Subcommittee, and expressed our reservations about these bills. He said the Subcommittee had just this week sent out several requests for comments and asked me to prepare comments so they would have our position on the record. I agreed to prepare some comments.

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3. (Unclassified - DFM) Called Mrs. Mariann MacKenzie on the staff of the House Committee on Standards of Official Conduct to inquire about that Committee's action on the numerous bills requiring financial disclosure. Mrs. MacKenzie wasn't completely familiar with the Committee's action and said she would have John Swanner, Staff Director, call me next week.

4. [] Received a call from Bob Junk, in the office of Representative Elwood Hillis (R., Ind.), requesting a personnel interview for a constituent, [] After checking with [] OP, I called Junk and confirmed Friday, 28 March, 9:30 a.m.

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Friday - 21 March 1975

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23. [REDACTED] Received a call from George Murphy, Deputy Director, Joint Committee on Atomic Energy, for an inventory on the material we provided to the Watergate Select Committee in connection with a meeting with the staff of the Senate Select Committee (Intelligence) to work out arrangements for transfer custody of the material to John Swearingen, Senate Rules and Administration Committee, and to ask if I would be available to attend the session.

He also asked if we could confirm 8 April for the Director's briefing of the Joint Committee.

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25. [REDACTED] Met with Jim Kronfeld, Counsel, Government Operations Subcommittee on Government Information and Individual Rights, and discussed the Agency's exemption in the Privacy Act of 1974. See Memorandum for the Record.

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17. [] Ed Braswell, Chief Counsel, Senate Armed Services Committee, called and asked if we could give him some help in preparing a press release for Chairman Stennis concerning the recent press revelations. I referred him to the New York Times article and then he asked when the funding began. I told him FY 1970 and that it had been before all our Subcommittees and the funds approved by the Appropriations Subcommittees. I said on his Committee only Senators Stennis and Thurmond had been informed.

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18. [] Scott Cohen, in the office of Senator Charles Percy, called concerning the stoning incident involving [] He asked if the Senator could have a letter from us stating that we had nothing to do with it. I suggested that a letter from the State Department would be much better and made arrangements for this through [] Chief, LA Division.

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19. [] Frank Sullivan, Senate Armed Services Committee staff, called to say Senator Sam Nunn is interested in making a speech about recent developments involving the Agency. He said Nunn lamented the submarine disclosure but added perhaps it is not a bad thing to have something like this happen once in a while. Sullivan is pulling together a speech for Nunn on what is happening to the intelligence community and asked for our assistance. I told him I had mentioned to Nunn that Senator Stennis had asked for a similar paper and I offered to make a copy available to Nunn also.

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20. [] Talked to [] concerning the [] (Dorothy Fosdick, staff of the Permanent Investigations Subcommittee of Senate Government Operations Committee, had asked if the Agency had any connection with this company.) Horton said the Army has come to us and asked us to introduce their representative to the president of the company.

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21. [] Talked with Russ Rourke, White House staff, and alerted him to about twenty pieces of legislation which are before the Kastenmeier Subcommittee of Courts, Civil Liberties and the Administration of Justice of House Judiciary Committee, on the subject of surveillance. I said we had a paper on this which I would send him. I thought the White House should be aware of this legislation.

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22. [] Received a call from Jim Calloway, Senate Appropriations Committee staff, who asked when the sensitive project started and how much money was spent prior to August 1972. I told him it started in FY 1970. Calloway asked how much money was spent prior to Chairman McClellan taking over in August of 1972. [] who was also on the phone, said there was a paper coming up to Calloway which contained all this information. Calloway asked for it over the phone and [] read it to him.

23. [] Angus Thuermer called and said he received a call from Gerry Yenevitz, of Access Magazine, referring to a Senate Judiciary Constitutional Rights Subcommittee report, pages 2910 to 2915, entitled "Federal Data Banks and Constitutional Rights." Yenevitz wanted to know why CIA was putting information into FCC data banks. I told him we would get a copy of the document and look into it.

24. [] Don Lynch, Senate Armed Services Committee staff, called and said he needed information on Soviet ocean surveillance capabilities. He said he wanted to know how effective they are in keeping track of our ships, etc., what means do they have for doing that--satellites or what. I told him we would have something for him by Monday. [] is pulling something together on this.

25. [] Called Charles Kane, D/Security, and told him Larry Silberman, Justice Department, in a meeting of the ad hoc group this evening, said the Kastenmeier Subcommittee on Courts, Civil Liberties and the Administration of Justice of ~~House Judiciary Committee~~, had decided to release the [] executive session testimony at 9:00 tomorrow. Arrangements have been made for us to review the transcript this evening.

26. [] Delivered to Frank Slatinshek, Chief Counsel, House Armed Services Committee; Ralph Preston, Senior Staff Member, House Appropriations Committee; and Guy McConnell, Professional Staff Member, Senate Appropriations Committee; a paper on a sensitive Agency project.

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27. [] Received a call from [], Deputy Chief, EA Division, who said a meeting is scheduled tomorrow morning at 11:00 a. m. in Fred Ladd's office at State on the subject of the Foreign Assistance Act ceilings. []

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28. [] Learned in a call to Jack Keaney, Department of Justice, at home, concerning Mr. Cotter's testimony before the Kastenmeier Subcommittee on Courts, Civil Liberties, and the Administration of Justice, House Judiciary Committee, in executive session, that the transcript was to be publicly released tomorrow at 9:00 a. m.; Justice's review had been limited to identifying information in the transcript which should not be released because of possible impact upon subsequent criminal prosecution; Mr. Cotter's testimony provided a complete picture of the mail intercept program, although cryptic in some spots, and revealed the names of high level officials within the Government knowledgeable of the program; that Mr. Kevin Maroney had also reviewed the transcript and that he, Keaney, had sent the transcript back to Mr. Silberman or his aide, Bob McDermott, this morning. In a series of conversations with Mr. McDermott at home and with [] and other Security officers, arrangements were made for security review of the testimony of Mr. Cotter.

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5. [] Called Mr. Dudley, ~~House Judiciary~~ Committee staff, and discussed the letter from the Committee addressed to the Director, although the body of the text concerned the FBI. He acknowledged that the letter was missent and another letter would be forthcoming. This concerns a request for the Agency to detail the procedures followed in the utilization and further dissemination of information compiled by the former House Committee on Internal Security.

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6. [] Called Mike Krepon, in the office of Representative Floyd V. Hicks (D., Wash.), to arrange for a follow up briefing on chemical warfare for the Representative which was lightly covered at a previous briefing given by [] accompanied by []. I explained our delay in responding was due to Mr. [] retirement and the unavailability of [] Krepon tentatively set the briefing for Monday, 24 March, at 9:00 a.m. in the Representative's office.

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7. [] Early this morning, John Marsh, Counselor to the President, called and asked if I knew where things stood with respect to the Kastenmeier Subcommittee on Courts, Civil Liberties and the Administration of Justice of ~~House Judiciary Committee~~, today on mail intercept activities. I told Marsh that Larry Silberman met yesterday with Chairman Rodino (of the full Committee) and Kastenmeier, that they were not persuaded to defer their hearings on the mail intercept program in deference to the appointment of the House Select Committee but they were more persuaded by Silberman's statement that the subject of mail intercepts was under consideration by the Department of Justice. The conclusion was the Subcommittee would hold its hearings with William Cotter, Post Office Department, as a witness today but they would try to keep the questions within reasonable bounds.

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I took this opportunity to advise Marsh we were having a group of some 20 freshmen Democrats out for breakfast with the Director this morning. I said we had conducted a program of contacting freshmen members in each Congress and that while this was an all Democratic group, the Director has spoken to some Republicans since this Congress was convened and will be speaking with others. Marsh commented he thought having these breakfasts was an excellent idea and we should do more of it.

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8. [] Larry Silberman, Department of Justice, called to say he had gotten a general fill-in from Lou Cox, General Counsel of the Post Office Department, on the ~~Kastenmeier hearings today~~. He said he felt he had made some progress in his meeting with Rodino and Kastenmeier last night but he understood Representative Drinan took a shot at him (Silberman) for it. I said I had a man at the hearing who said Kastenmeier made an opening statement and then whispered to Representative Railsback and another member when they started to ask about the CIA program. I said the only thing that appeared to be somewhat of a problem was the question to William Cotter about the propriety of openings of the mail. Cotter said the only authorized opening is by court order and the activity referred to (CIA) is improper. They did go into executive session and I have no feedback on that. The Subcommittee seemed very good to Cotter on balance.

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9. [] Called Paula Altman, Secretary to Representative Jonathan Bingham, and told her [] would brief the Congressman on Wednesday, 18 March, instead of Mr. Duckett.

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10. [] Mildred Ward, Secretary to Senator John Stennis, called and said the Senator was looking forward to our weekly session tomorrow. She said he would have some inquiries about Indochina, Cambodia, Vietnam and particularly the charges about our activities involving "air power." In connection with Stennis' interest in "air power", I talked to [] Deputy Chief, EA Division, and to Colonel Hammond, DOD. Hammond said Senator Stuart Symington made remarks that have been rebutted by Mr. Sidel of DOD Public Affairs Office, in a press statement yesterday on the subject of air support in Southeast Asia. Hammond sent us a copy. I also checked with the Director who said it was a DOD problem and has nothing to do with us.

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[]
GEORGE L. CARY
Legislative Counsel

cc:
O/DDCI [] Ex. Sec.
Mr. Warner Mr. Lehman

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DDI DDA DDS&T

EA/DDO Compt

Item 2 - []

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Tuesday - 18 March 1975

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1. [] I sat in today on the testimony of William Cotter in open session before the ~~House Judiciary~~ Subcommittee on Courts, Civil Liberties and the Administration of Justice concerning mail coverage and mail opening (See Memorandum for the Record - OLC 75-0554).

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3. [] Talked to Mrs. Ricki Starrels, in the office of Representative Bill Archer (R., Texas), to confirm with her the previous arrangements made for a group of high school students to visit the Agency on Wednesday evening, 19 March, at 5:00 p.m. Mrs. Starrels confirmed that they were still coming and would try to advise me as to their transportation, if that were possible.

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4. [] Received a call from Ellie Vogtmann, Senate Foreign Relations Committee staff, who asked for the dates of tenure for General Walter Bedell Smith USA, when he was Director. I gave Ms. Vogtmann the dates and also clarified for her the correct spelling of his name.

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